

1 THOMAS M. REGAN (SBN 113800)

2 tregan@cozen.com

3 COZEN O'CONNOR

4 501 West Broadway, Suite 1610

5 San Diego, California 92101

6 Telephone: (619) 234-1700

7 Facsimile: (619) 234-7831

8 Attorneys for Plaintiff,

9 WESTERN INSURANCE COMPANY

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 WESTERN INSURANCE COMPANY,
14 A Utah corporation,

15 Plaintiff,

16 v.

17 GEO GROUT, INC., a California corporation;
18 KENNETH A. THOLIN, an individual;
19 PATRICIA A. THOLIN, an individual;
20 ENRIQUE QUILES, an individual;
21 ELIZABETH QUILES, an individual; R&K
22 ASSOCIATES LLC, a California corporation;
23 THE THOLIN REVOKABLE TRUST; and
24 DOES

25 1 through 100, inclusive,

26 Defendants.

Case No. 3:11-CV-05578 MEJ

STIPULATED MOTION FOR
DISMISSAL WITH PREJUDICE

Hon. Maria Elena James

27 Plaintiff Western Insurance Company, a Utah corporation, and Defendants GeoGrout, Inc.,
28 Kenneth A. Tholin, Patricia A. Tholin, Enrique Quiles, Elizabeth Quiles, R&L Associates, LLC
and The Tholin Revocable Trust, by and through counsel, hereby stipulate and move the Court for
an Order dismissing all claims that the parties have asserted against one another in this action.
The basis for this Motion is that the parties have come to an agreement which includes the
dismissal of the action. It is further agreed the parties are to bear to their own attorneys' fees and
costs.

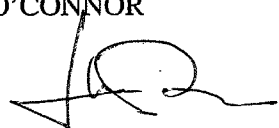
SAN_DIEGO\513541\1 225528.000

1 A proposed Order is filed herewith.

2 Respectfully submitted,


3 Dated: October 16th, 2013

COZEN O'CONNOR

4
5 By: 
6 Thomas M. Regan
7 Attorneys for Plaintiff Western Insurance
8 Company

9 Dated: October 16, 2013

McNEIL SILVEIRA RICE & WILEY

10 By: 
11 Mark J. Rice
12 Attorneys for Defendants GeoGrout, Inc.,
13 Kenneth A. Tholin, Patricia A. Tholin, Enrique
14 Quiles, Elizabeth Quiles, R&L Associates, LLC
15 and The Tholin Revocable Trust
16
17
18
19
20
21
22
23
24
25
26
27

~~[PROPOSED]~~ ORDER

Good cause appearing,

IT IS HEREBY ORDERED that:

This matter comes before the Court on a Stipulated Motion to Dismiss. Based on the pleadings on file with the Court, and for good cause appearing, the Court hereby Orders, Adjudges and Decrees that the above matter is dismissed, with prejudice, with the parties bearing their own attorneys' fees and costs.

IT IS SO ORDERED.

Dated: 10/21/2013 By:



HONORABLE MARIA-ELENA JAMES
Chief Magistrate Judge
United States District Court

LEGAL\17394870\1 15442.0001.000/317696.000